

TWENTYMORE ARE KILLED IN COLORADO RIOTS

Striking Miners Marching in Force to Attack the Militiamen.

BATTLE IN WALSENBURG

Fighting in Streets, and 200 Troopers Surrounded at Rouse.

PROPERTY LOSS \$1,000,000

Eight Coal Plants Destroyed—State Soldiers Mutiny and Refuse to Enter Zone.

TRINIDAD, April 23.—One thousand strikers, who swept over the southern coal fields from Delagua to Rouse today, leaving behind them the smoking ruins of eight great coal properties and adding possibly an additional score to the present death list of twenty-six, are preparing for a battle with the 350 militiamen being hurried into the strike zone from Denver.

The troop train is due in Trinidad at 11 o'clock to-night, Western time.

One thousand strikers from Aguilar left the town at 10 o'clock to-night under orders from their leaders to meet the militiamen at Lynn. The troops are reported to be approaching. A battle which promises to be the bloodiest of the strike now appears inevitable.

Carried away by a feeling of power and a desire for revenge, the strikers have planted themselves along the lines of the Colorado and Southern and the Denver and Rio Grande railroads and are awaiting the troops' approach.

A battle began in the streets of Walsenburg to-night.

The streets of Walsenburg, it was said, were filled with people and every one who could procure a gun was arming himself.

One man was reported killed early in the evening. After the receipt of a brief message here it was impossible to get into Walsenburg either by telephone or telegraph. All wires are reported down.

Campfires gleam along the ridges, and at Aguilar, the scene of the burning of the Empire Mine property yesterday, 500 men are gathered for what is supposed will be the first concerted attack.

As a result of the fighting to-day the strikers hold possession of all the country between Ludlow, where 100 men and two machine guns under Major Hamrock are stationed, and the coal camp at Rouse, twelve miles south of Walsenburg, to which fugitives from the burning camps taken by the strikers have fled.

Strikers Surround Towns.

At a late hour Rouse was reported to be surrounded and 200 men who hold the camp with their rifles and a machine gun were preparing for an immediate attack. If Rouse falls it is conceded that the camps of Lester, Cameron and Walsenburg will be abandoned. Property damage in excess of \$1,000,000, it is estimated, has been done.

Should the troops fall in running the eighteen mile gantlet spread for their reception the citizens expect murder, arson and pillage which may end only in the destruction of every mining property from Trinidad to Walsenburg. Should the militia succeed it is possible that the guerrilla warfare will exist for weeks.

John Lawson, international board member of the United Mine Workers of America, announced to-day that he would refuse to order the strikers to surrender their arms until they had been assured that they would receive fair treatment at the militia's hands. "There can be no peace without justice," he said.

J. W. Sipple of Denver, president of the operating company, and twenty men faced death to-night in the Empire mine as the result of their refusal to surrender to the strikers at Aguilar. Three women and five children, including Mrs. William Waddell, wife of the mine superintendent; Mrs. Matthew Waddell, her daughter-in-law; Mrs. McIntyre, wife of the camp blacksmith; and the younger Mrs. Waddell's baby, were removed from the charred mouth of the shaft and got safe outside of the danger zone.

Waddell's son, the mine clerk and J. W. Church, chief engineer, refused to accompany the women, though they were wounded. The only conditions imposed were that the men would give up their arms and accept safe conduct from the district.

A supply of air at the southwestern property sufficient to last the captives for about twelve hours remains in the mine, it is said. Unless aid reaches them by that time they will face the alternative of either dying by suffocation or throwing themselves upon the strikers' mercy.

At the southwestern mine, which broke into flames early this afternoon, a battle took place between guards and a strong force of strikers. The tipple and the camp were destroyed, according to a report here to-night, and the guards were forced back into the mouth of the slope.

Communication into the strike district from Trinidad has been interrupted and grave fears for persons on the mine company properties are entertained.

One mine now known to be ablaze are the Primrose of the Colorado Fuel and Iron Company, Mine No. 4 of the Southern Colorado Fuel Company, the Empire and Southwestern mines of the Southwestern Fuel Company, the Green Canon Mine of the National Fuel Company and the Rugby Mine of the Colorado Fuel and Iron Company. In addition the Royal

and Broadhead mines, both operated by independent companies, are in ashes.

The three then killed yesterday at the fight about the Empire property were J. P. Jones, Ben Vigil and Nick Schumacher. The fighting this morning commenced shortly after 5 o'clock, when the strikers' forces surged northward, carrying everything before them. Their numerical strength at various places was estimated at between 700 and 1,200 men. For the most part little or no resistance was offered.

The Primrose property, from which the women and children had been removed to Rouse during the night, was the first to be burned. Before volleys from the hills its defenders fell back from building to building, until finally they were forced to flee to the hills.

A moment later the mine tipple and other wooden structures were ablaze, and at 9 o'clock reports of dynamite heard at Rouse gave evidence that the slope and probably the air shaft had been destroyed.

Strikers surged over the ridges next in the direction of Rugby, which was vacated by the few men who remained within the buildings. Shortly thereafter, according to report, it was also in flames.

The strikers then moved on Rouse. The last message sent out by its superintendent directed to the Colorado Fuel and Iron Company's office here read:

"For God's sake send help."

Since House forces the key to the mines at Lester, Cameron and Walsenburg, it is feared that a determined effort to take it may be made.

At Cameron women and children were placed in a concrete cellar and similar steps were taken to insure their protection at other menaced points.

Women Removed From Camps.

The last camps to report fears of attack were Primrose and Segundo, operated by the Colorado Fuel and Iron Company. All women from the strikers' Segundo colony were removed. A large party of armed men is on the hills. Neither of the camps could withstand a determined assault.

Similar forces of men are on the heights above Berwind and Tobacco, near Ludlow.

Major Hamrock said over the telephone to-night that he had the Ludlow situation well in hand and that he could stand off a force of 2,000 men if necessary for a week.

The Black Hills, held by the strikers, and Cedarhill, on which the militia's machine guns are mounted, exchanged shots at long range, but no serious fighting occurred.

J. D. ROCKEFELLER, JR., SILENT

Nothing to Say to Charge of Being Responsible for Riots.

John D. Rockefeller, Jr., sent word yesterday from the offices of the Rockefeller Foundation, 26 Broadway, that he "had absolutely nothing to say" in regard to the strike of the Southwestern Fuel Company in Trinidad, Col.

The charge of Mrs. Mary C. C. Bradford that Mr. Rockefeller's statements on unionism before Congress had brought on the trouble received no answer from Mr. Rockefeller.

WARNING BY MOTHER JONES.

Appeals to Senators to Remove "Gunmen" From Colorado.

WASHINGTON, April 23.—Consideration was given the recent killings by strikers in the coal regions of Colorado at a meeting to-day of the House Committee on Mines and Mining, which is preparing a report to be made to the House. The matter will be further considered at a later meeting.

Mother Jones, the strike agitator, appeared before the committee.

"Let Congress tell Rockefeller that we are not going to have a Rockefeller government in this country; that these miners are going to organize; that these miners are going to organize; that these miners are going to organize—that is the suggestion I have for ending the Colorado coal strike," she said.

Mother Jones said she did not believe the strike would end until the Rockefeller interests recognize the unions. She predicted, however, that there would be more killing and rioting if the armed guards, whom she called gunmen, are withdrawn from the coal fields.

She is opposed to violence in strike trouble, she said, adding: "This country will have no more of these things continue. Statesmen are too far removed from the tolling masses. They must wake up to conditions. The president ought to tell Rockefeller to treat his employees right. Congress ought to pass legislation prohibiting the importation of arms and gunmen into strike troubled sections. The Colorado miners are willing to meet Rockefeller half way."

Telegrams continued to pour in upon Senators today from labor organizations throughout the country urging Federal interference in Colorado. References were made to the Mexican situation and suggestions came from the labor representatives that the United States ought to turn its attention to domestic affairs before going into other countries.

Senators admit that there is no action the Senate can take in the premises and that the question of using Federal troops to restore order is one that is up to the Executive Department of the Government.

COLORADO TROOPERS MUTINY.

Refuse to Respond to Call and Fight in Riot Zone.

DENVER, April 23.—Before the troop train left Denver to-day Company C, eighty-two men, mutinied and refused to go to the district. The men said that they would not engage in the shooting of strikers. They hired the 350 men who did start. Reports from other towns told of similar mutinies.

The typographical union here appropriated \$500 to-day for arms and ammunition for the strikers to battle with troops in the Colorado strike zone.

At a mass meeting of women here to-day John D. Rockefeller, Jr., was assailed and the militiamen were denounced as murderers.

The State Federation of Labor issued a call to-night for all crafts to organize their men, arm them and send them to the scene of the trouble in defense of the miners. The typographical union adopted a resolution asking the impeachment or recall of Gov. Ammons.

CHARITIES OFFICIAL ELECTED.

B. B. Burritt Succeeds J. A. Kingsbury in Local Association.

At the monthly meeting of the board of the New York Association for Improving the Condition of the Poor, held to-day in the United Charities Building, 105 East Twenty-second street, Bailey B. Burritt was elected general director, succeeding John A. Kingsbury, who resigned last January to become Commissioner of Public Charities. Since that time Mr. Burritt has been serving as acting general director.

CONNOLLY HITS BACK AT HALLERAN TRIAL

Borough President of Queens Denies All Divorce Case Charges.

PROMINENT MEN AID HIM

Justice Kelby Warns Flann, Plaintiff's Witness, of Penalty for Perjury.

Maurice E. Connolly, Borough President of Queens, who is the correspondent in Aloysius G. Halleran's counter suit for divorce, testified yesterday at the trial before Justice Kelby in Long Island City and produced witnesses who contradicted the charges made by Halleran, whose wife is a sister of Mrs. Connolly.

Mr. Connolly denied that he had visited the Halleran home on March 1, 1913, leaving the house by one door as Halleran entered by another, as Halleran charged, and that he went there on the following night to get a coat that in his hurried departure on the previous night he had left behind.

To account for his movements on March 1 Mr. Connolly produced John W. McDonald, an examiner for the Board of Estimate and Apportionment; Charles H. Hyde, former City Chamberlain; George M. Curtis, Jr., Assistant Corporation Counsel, and others who were with him at the Amen Corner dinner on the night in question.

As for the second night, Martin W. Littleton, Surrogate Daniel Noble of Queens and others testified that they were with Mr. Connolly on the train bound for Washington to attend the inauguration of President Wilson. The register of the New Willard Hotel in Washington was produced to show that Mr. Connolly had registered there on the following morning.

The attorneys for Mrs. Halleran and for Mr. Connolly were elated over the cross-examination of William Flann of 225 Amity street, Flushing, who earlier in the day testified that he had seen the Borough President leave the Halleran home one night. The moment he began the cross-examination Stephen Baldwin, attorney for Mr. Connolly, asked Flann to write several sentences with pen and ink. The witness did so.

Baldwin then produced a letter alleged to be in Flann's handwriting and addressed to Gertrude Hatch referred to in the case as "Phyllis," and a correspondent in Mrs. Halleran's suit for divorce. This letter contained many expressions of regard for Mr. Connolly and was signed "Gertrude Hatch." Baldwin asked Flann to read the letter. Flann read it and said it was his handwriting.

Flann admitted that the girl addressed was Miss Hatch. The questioning that followed indicated that Baldwin wished to show Flann wrote the letter at the dictation of Halleran and that the initial "A." stood for "Aly." Flann refused to do so.

Flann further admitted that the "A." stood for "Aly." The questioning that followed indicated that Baldwin wished to show Flann wrote the letter at the dictation of Halleran and that the initial "A." stood for "Aly." Flann refused to do so.

Turning to the witness, he went on: "I want you to take time to think it over and tell us the facts about writing this letter. How did you come to sign your friend's initial to a letter of this kind? Did you not think that it was likely to be used in court?"

The witness said he did not recall the circumstances under which the letter was written. He was excused from the stand but Justice Kelby directed him to remain in the court room.

The trial will be ended to-day.

ST. GEORGE'S SOCIETY DINES.

Banqueters at Waldorf-Astoria Urged to Support Move in Mexico.

About four hundred members of the St. George's Society of New York cheer the remarks of Martin W. Littleton and Austin G. Fox at the dinner of the society held in the Waldorf-Astoria last evening. They advised the members of the society to uphold the arm of the nation in the Mexican trouble. The occasion of the dinner was the 125th anniversary of the founding of the society in this city.

Mr. Littleton's subject was "Shaken Spain," but after Mr. Fox's plea to the patriotism of the guests he too took up the international situation.

"Behind the great guns," he said, "back of the eloquent statesmanship, behind the diplomacy there is a vast force that any army can resist or statesmanship can defeat. It is driving our nation, whether we will or not, into a nation whose burdens we are bound to bear. But wherever the human race has progressed there has been force. We have made no progress against force without force. There is no other way to hold nations together than to organize to meet force with force."

Charles C. Bowring, president of the society, was toastmaster.

GIBSON JURY SELECTED.

Wife of Lawyer Accused of Fraud Excluded From Trial Room.

A jury was selected before Judge Swann in General Sessions yesterday for the trial of William G. Gibson for grand larceny. Several witnesses were called, but little headway was made because of the persistent legal objections made by Edward Hynes, who is defending Gibson.

The will made by Mrs. Rosina Menshik Szabo, for whose death in Greenwood Lake on July 16, 1912, Gibson was twice tried for murder in the first degree in Orange county, was put in evidence. It made Gibson her legal adviser, executor of the estate, the beneficiary being Mrs. Petronella Menshik, her mother. It is for the larceny of \$1,000 of this estate, amounting to upward of \$10,000, that Gibson is now on trial.

Gibson's wife, who took great interest in the selection of the jurors, was excluded from the court room after the jury had been sworn because she will be called as a witness in the case.

JACOB RIIS STILL IN DANGER.

His Physician Refuses to Make Public His Condition.

BATTLE CREEK, Mich., April 23.—Dr. M. A. Mortenson, physician to Jacob Riis, refused absolutely to make any statement to-night regarding the condition of his patient.

Other physicians of the sanitarium where Mr. Riis is kept out the information that he is just the same, which is taken to mean that he is seriously ill.

Wednesday, before the censorship was put on concerning the condition of Mr. Riis, it was said that hopes for his recovery were slight. His heart is twice its normal size. With him are his wife and son, Roger W. Riis of Barre, Mass.

MARRIED FOR LOVE, AND LOSES \$300,000

Mrs. Elizabeth Bagnell, Niece of Bishop Potter, Cut Off in Mother's Will.

FAMILY FEUD REVEALED

Wedding Restrictions Against Three Misses Bagnell in Codicil to \$1,500,000 Document.

A loss of \$300,000 to Mrs. Elizabeth Bagnell, niece of the late Bishop Potter, because she married the son of an English clergyman against the wishes of her mother, Mrs. Harriet Duer Potter, is disclosed by the transfer tax appraisal of the estate of Mrs. Potter filed yesterday.

The report also shows that if any of the daughters of Mrs. Bagnell marries a son of a woman living with Mrs. Bagnell, to whom Mrs. Potter took a dislike, such granddaughter is to lose her interest in the estate.

Mrs. Potter was the widow of James Nielson Potter, brother of Bishop Potter, who had made her home for the last thirty years at Pau, France. She died at Aix-les-Bains on May 3, 1913. Her estate in this country is appraised at \$1,345,660. She had real estate and personal property in France, including paintings, jewelry and art objects, which will increase the total estate to more than \$1,500,000.

Her estate in this country included ownership entirely or in part of over thirty parcels of property. The most valuable are 592 Broadway, in which she had a 57 per cent. interest, appraised at \$135,000, and 75 Fifth avenue, worth \$127,000. She had mortgages worth \$344,232. It also included a house at \$46,742. Three pews in Grace Church were appraised at \$450. She inherited the bulk of the real estate from her father, Edward Jones.

The will of Mrs. Potter contained no expression of her feeling toward her oldest daughter, Mrs. Elizabeth Bagnell, who now lives at Dulton Lodge, Norfolk, England, except that she gave her only \$15,000 outright, and left her the sum of \$5,000 a year for life. The only bequest to Mrs. Bagnell's three daughters, Viva Margot, Hope Dorothy and Irene Helen Bagnell, was an annuity of \$1,000 each.

Mrs. Potter gave her residuary estate to her three unmarried daughters who lived with her at Pau. They are Henrietta Nielson Potter, Margaret Renshaw Potter and Katherine Duer Potter. The interest of each of these daughters was appraised at \$382,891, while the present value of the annuity to Mrs. Bagnell, together with her bequest of \$15,000 outright, is only \$74,925. The value of the bequest to each of Mrs. Bagnell's daughters is about \$24,000.

It was learned yesterday that Mrs. Potter's reason for depriving Mrs. Bagnell of an equal share with the other daughters was her daughter's persistence in marrying in the face of her mother's opposition a curate's son whom she met while "travelling in England." Mrs. Potter did not break off relations with her daughter, but continued to visit her in England.

On one of her visits she met Mrs. Alice Graves, who had become a member of Mrs. Bagnell's household and to whom Mrs. Potter took a strong dislike. She noticed on one of her visits that a son of Mrs. Graves was attentive to Mrs. Bagnell's eldest daughter.

Mrs. Potter came to this country shortly afterward and on September 24, 1912, added a codicil to her will in which she said that whereas she has set aside a net income of \$1,500 for each of her granddaughters, she directed that "if any of my granddaughters should marry a son of Mrs. Alice Graves the one so doing shall forfeit any share in my estate and the principal sum bequeathed by me to her and her trustees for my granddaughters."

19 REASONS BY FRANK LAWYERS

Argue at New Trial Hearing That Some Witnesses Feared to Testify.

ATLANTA, April 23.—The hearing of the extraordinary motion for a new trial filed in behalf of Leo M. Frank, convicted of the murder of Mary Phagan, was begun to-day before Judge B. H. S. Hill. It will probably continue for several days.

Nineteen grounds are presented by the defense, each of which, it is said, is based on newly discovered evidence. The affidavits include several from witnesses repudiating evidence given against Frank at his trial. Affidavits are also presented to show that Frank was not in the factory at the time of the murder.

Numerous affidavits allege that feeling was so bitter against Frank that persons who knew things in his favor were afraid to testify. The defense will attempt to introduce the Burns report.

LIGHTING REVENUES DECREASE.

Brooklyn Gas and Electric Companies Report Bad Year.

The operating income of the Brooklyn Union Gas Company last year was lower by \$89,303.48 than for the year 1912, according to the Public Service Commission's computation. The operating revenue for 1913 was \$10,218,514.36, an increase of \$23,912.39, but the increase in expenses was \$92,026.48, and the total operating expense last year was \$7,899,918. The surplus at the close of the year was \$5,981,242.08, a decrease of \$213,050.94 from the figures of 1912.

For the Edison Electric Illuminating Company of Brooklyn this year's income is reported to be \$5,455,200.15, an increase of \$187,530.77 over 1912; operating expenses, \$3,204,835.82, an increase of \$246,474.49; operating income, \$2,250,364.33, an increase of \$219,513.29.

SHIFTS POLICE LIEUTENANTS.

Schmittberger Makes Good on His Transfer Threat.

Chief Inspector Max Schmittberger made good his threat to have transferred two lieutenants attached to the West Forty-seventh street police station who failed to operate the telephone switchboard. Yesterday he visited to the satisfaction of the chief inspector.

Schmittberger sent in a test call for patrolmen to see how a new signaling system which he had evolved would work. The wires got tangled and the patrolmen, who should have responded first were the last to arrive at the signaling point.

Last night an order was issued transferring Lieuts. Edward McAniff and Patrick Surrage of the West Forty-seventh street station to Staten Island.

END LIVES IN WILLIAMSBURG.

Dentist's Wife and Two Men Commit Suicide in Homes.

Three persons committed suicide in Williamsburg yesterday.

Mrs. Emily A. Rockwell, 45 years old, wife of a dentist, swallowed cyanide acid in her home, 115 Tompkins avenue. John Stolzer, 42 years old, used lysol to end his life in the hallway of his home, 129 George street, and Hyman Silverman, 40 years old, a produce dealer, turned on the gas in his home, 15 Humboldt street.

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WINNING, SAYS STRAUS

Philanthropist Points to Great

Decrease in Deaths Through

Pure Milk.

WASHINGTON, April 23.—The great progress that has been made in New York city in saving the lives of babies was described in a paper by Nathan Strauss to-day before the International Child Welfare Congress. Mr. Strauss was unable to be present and telegraphed his greetings to the congress. A friend read the paper.

In writing of the child welfare work of New York, Mr. Strauss recalled that when he began his milk campaign twenty-three